



April 21, 2014

VIA CM/ECF

The Honorable J.P. Stadtmueller
U.S. District Judge, Eastern District of Wisconsin
United States District Court
517 East Wisconsin Avenue
Milwaukee, WI 53202

Re: U.S. ex rel. Nelson v. Sanford-Brown Limited
Court File No. 12-cv-775-JPS

Your Honor:

Relator has very seriously considered the Court's April 8th pretrial conference remarks and recognizes that a lot of trial preparation still needs to be done. It is Relator's understanding that the Court is encouraging the parties to utilize the services of Magistrate Judge Aaron E. Goodstein to help the parties work-out their outstanding disputes. In recognition of the fact that the Court will soon be burdened with additional briefing on the Defendant's pending summary judgment motion, and because relator believes that with Magistrate Goodstein's help, the parties can expeditiously continue the trial preparation process, Relator respectfully requests the Court exercise its authority under 28 U.S.C. § 636(b)(1)(A) and General Local Rule 72(b)(2)(S) to refer the following motions to Magistrate Goodstein for consideration:

Non-Dispositive Motions			
Date Filed	Docket No.		Description of Motion
	Motion	Resp.	
3/24/14	118-9	129	Defendant's Motion to Exceed the Page Limits for Deposition Designations of Steve Guell and Dr. Albert Gray
3/24/14	120-1	133-4	Relator's Motion to Reopen the Deposition of Steve Guell
3/25/14	122-4	194-5	Defendant's Motion to Exclude Relator's Expert John Lee
3/28/14	126-8	211-2	Relator's Motion to Exclude Defendant's Expert Kent Talbert
3/31/14	130-2	230	Defendant's Motion to Strike the Late-Disclosed Opinion of John Lee or, in the Alternative, Exclude it Under Rule 702 and Daubert

Relator's Motions in Limine			
Date Filed	Docket No.		Description of Motion
	Motion	Resp.	
4/3/14	169-71	203-4	Regarding the Authenticity of Documents Produced by Defendant During Discovery and Offered by Relator at Trial
	172-4	201-2	To Prohibit Reference to Relator's Post-Employment Bonus Correspondence Regarding His Bonus from Defendant
	175-7	200	Regarding the Government's Decision Not to Intervene
	178-80	198-9	To Prohibit Argument that Relator Must Identify and/or Prove Every Title IV Violation Committed by Defendant
	181-3	205-6	Regarding Admissibility of Defendant's Business Documents
	184-6	196-7	To Preclude Defendant from Arguing that Because SBC was Accredited at all Times, It Did Not, and Could Not Have, Violated the False Claims Act
	187-9	209	To Bar Reference to Relator's Share of the Government's Recovery
	190-2	207-8	Regarding the Inexactitude of Damages

Defendant's Motions in Limine			
Date Filed	Docket No.		Description of Motion
	Motion	Resp.	
4/3/14	135-7, 168	213-4	To Preclude Testimony of Undisclosed Witnesses
	138-40	215	To Preclude Evidence of News and Media Reports
	141-3	216	To Preclude Hearsay Evidence
	144-6	223	To Preclude Evidence of Manipulated Records by any Person Who Lacks Personal Knowledge
	147-9	217	To Preclude Evidence of Other Lawsuits and Investigations
	150-2	218	To Preclude Evidence of Dismissed Allegations
	153-5	225	To Preclude Evidence of Events and Conduct at Campuses Other than SBC-Milwaukee
	156-8	224	To Preclude Evidence of Certain Incentive Compensation
	159-61	222	To Preclude Evidence of Alleged Statements Made by Mark Szolyga
	162-4	219-20	To Preclude Use of the Word "Forgery"
	165-7	221	To Preclude Evidence of Events and Conduct Outside the Relevant Timeframe

Relator also requests that the Court refer all disputed issues in the Joint Pretrial Report (ECF 193), including Defendant's objections to Relator's exhibit list, objections to deposition designations, disputed jury instructions (specifically the disagreement over the burden of proof), and disputed verdict forms, to the Magistrate.

At this time, Defendant does not choose to join Relator in making his request. Thank you for the Court's consideration of this matter.

Sincerely,

NICHOLS KASTER, PLLP

James H. Kaster

JHK/jmo

cc: Counsel of Record (via CM/ECF)